IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

AND
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 539 of 2005

Between:

M/s. Klen and Marshalls Manufacturers & Exporters (P) Limited, having its Branch Office at 9-1-83 & 84, Amarchand Sharma Complex,

S.P. Road, Secunderabad rep by Authorised Signatory R. Vijay Kumar

..... PETITIONER

AND

1. The Commissioner, Commercial Tax, Department,

Nampally, Hyderabad.

2. The Commercial Tax Officer, Khairatabad Circle, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the impugned provisional assessment order for the year 2003-2004 (for the month of March 2004) dated 11-01-2005 passed by the 2nd respondent as violative of principles of natural justice and consequently set-aside the same and pass such other order/s as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.CHANDRASEN REDDY

Counsel for the Respondents : MR.K.RAJI REDDY,

(SPL.SC FOR CT)

The Court at the stage of admission made the following :

WRIT PETITION NO.539 OF 2005

O R D E R

(Per Sri Justice M.H.S.Ansari)

The order passed in W.P.No.538 of 2005 dated 28.01.2005 shall also govern this writ petition on the identity of facts and questions arising therein.

JUSTICE M.H.S.ANSARI

JUSTICE T.CH.SURYA RAO

28th January, 2005

Note: Office to append the order passed in W.P.No.538 of 2005 dated 28.1.2005 along with this writ petition.

(B/O) PGS

To

1. The Commissioner, Commercial Tax, Department,

Nampally, Hyderabad.

2. The Commercial Tax Officer, Khairatabad Circle, Hyderabad

3. Two CCs to Spl. G.P. for Commercial Taxes, High Court Buildings,

Hyderabad (OUT).

4. Two CD copies.

THE HONOURABLE SRI JUSTICE

M.H.S.ANSARI

AND

THE HONOURABLE SRI JUSTICE

T.CH.SURYA RAO

WRIT PETITION NO.539 OF 2005

(Per Sri Justice M.H.S.Ansari)

28th January, 2005